App. F. IX-4

Previous References

1937. (Laws)

File No. 83-37

Serial Nos. 1-2

PRESERVED

Letter References

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Two.

Part B for Jaccq '38

SUBJECT.

A Sacred Jewel (Addige) picked up by one D.S. Seetharamiah in a public place.

8(2)

No. P 4287 dt 20-1-38.
To The Govt: Advocate.

WD 0295—GPB—22,500—13-8-37

Rs a Copy of Rv No. P 4014-6 Pol 113-37-6 dt 7.1.38 passed in the matter.

Dy. A. Arb
6/5/38

>443

General and Revenue Secretariat | File No. Laws 83 of 1937. | [App. F. III—2

Serial No.

1

From

The Govt Advocate

Letter no 384, dated 22-11-37

States that cr Rev: ~~Case~~ no 11/37-38 on the file of the High Court was disposed of, and requests orders of Govt in the matter of rewarding the finder of the property suitably.

1) Copy of Gen: Secy's order thereon
" was order of Govt obtained by D.C"?
2nd) M.V.

2) Copy of Asst Secretary's orders thereon.
& Put up References"
2nd) B.K.R.

3) No references on ~~this~~ subject are available here. The Rev: and the G.M. Branches also were consulted, but for no purpose (Vide frontine notes placed below.)
Submitted.

6/12

4) If approved, the records will be called for from the District Magistrate, Hassan.

BKR 6.12

Gen Secy 7) Qno 6/12

5) Draft BKR

SECRETARY. 6 DEC. 1937 3211

NOTE—Contn. Sheet.

WD 0284—GPB—30,000—13-8-37

2. Cr. Rev: Case 11/37-38 High Court Record for the finder of the Jewel. 3142/3622

File No. Law 83 of 1937.	General and Revenue Secretariat

Subd. with a dft for approval.

DSHe
BMR
8.12

7/12

To

The D. K

Hassan

No P: 3024, dt 10-12-37

Requests for the entire records.

Law, A
11-12-37

9) P.W.D is for perusal. The question of awarding a suitable reward is being worked up in the Police Section, as is evident from the linked file. If approved, the letter from G.A. will be transferred to that Section for further action.

SKR
16.12.37

Gen. Secy.

10) SW Does have in the Law Dept obtd orders of Govt at any stage of this case previously?

hw/16/12

11) A reference may be made to the High Court direct by the District Magistrate. (See the last

GENERAL SECRETARY
16 DEC. 1937
3489

General and Revenue Secretariat | Law File No. 83 of 1937. | [App. F. III—2

Serial No.

Sentence in Rule 65 of the Rules relating to Legal Affairs of Govt.)

GENERAL SECRETARY. 20 DEC. 1937 15.30

12) Gen. secy) Suggest in para 4 appd

BMR 18.12.37

Mno 21/12

BMR 21.12

13) Police Section)

14) Orders have already been passed & communicated to the Dept. Regte. accordingly sanction to the grant of a Reward of Rs 25/- to Govt. A.S. Sathyanarayana out of the sale proceeds of the jewel which he found & honestly delivered to the custody of the Police. A copy of the G.O is placed below (PR 113-37-2 dated 7/1/38)

10/1/38. To the Law Secretary.

15) If approved the file will be sent for perusal
Sen-officially to the G.A. I with reference to his letter (P.V.D.) 16) file need not be sent to G.A. A copy of the G.O may be sent in reply to his letter

10/1

11/1

NOTE—Contn. Sheet.

WD 0417—GPB—30,000—8-9-36

4

3622

File No. Law 83 of 1937.

General and Revenue Secretariat

Serial No.

Subd with a dft. for approval as per orders in para 16 supra.

DSNe

17/1

DSNe

17.1

Dtned in no P. 4287, dy 20-1-38

Secy Regl Affs

20/1

B

20-1-38

3143
P837

OFFICE OF THE GOVERNMENT ADVOCATE
IN MYSORE,

In reply please refer to,
No. 384

Bangalore, 22nd November *193* 7.

2337

Law 83-37-1

From

The Government Advocate
n Mysore, BANGALORE.

To

The General Secretary to the Govt.
of H. H. The Maharaja of Mysore,
BANGALORE.

GENERAL SECRETARY
23 NOV. 1937

Sir.

I have the honor to state that Criminal Revision Case No. 11 of 1937-38 - a Reference made by the District Magistrate, Hassan - was disposed of by the High Court on the 17th instant.

2. That was a reference made for setting aside the order of the Amildar and Ex-Officio Second Class Magistrate of Arkalgud who sold a gold jewel (Addige) produced before him by one A. S. Seetharamiah who picked it up on a public place near the fence of the reading Room at Arkalgud.

3. The usual notification was made inviting claimS. There being no response from any person the Amildar sold the jewel by public auction and out of the proceeds of the sale, namely Rs.75/-, a sum of Rs.25/- was recommended to be paid to the finder of the property.

4. The learned District Magistrate was of opinion that the sale by the Amildar Magistrate was ultra vires of his powers, because the sale could be held only by a District Magistrate or under his orders, neither of which was present

ie and he was also of opinion that the entire -
the sale should be handed over to the finder as
o him it was the law as laid down in 26 Mysore
Reports, page 101.

5. I contended before the High Court that the learned District Magistrate's interpretation of the ruling of the High Court in 26 Mysore C.C.R. 101 was not correct as in that case the finder was given the property on the ground that he was a person who could be deemed to have acquired possession of it on account of its having been lying in the premises of which he was the owner. That ground was not available to the claimant in this case because the property was picked up in a public place and not in his private holding and therefore the Crown as the ultimate owner of all unclaimed property was entitled to it. This contention the learned Judge was pleased to accept. At the same time, he was pleased to observe that the finder deserved to be rewarded suitably for his honesty.

6. With this latter observation, I entirely agree, if I may say so with respect. The opinion of the learned District Magistrate on the point of law was not correct. All the same I should think he had, at the back of his mind, the idea to encourage honesty when he recommended the handing over of the entire proceeds of the sale of the property to the finder.

7. May I request your kindness to invite the kind attention of the Government to the opinion of the learned District Magistrate implicit in his reference to the High Court, to the opinion of the Amildar Magistrate of Arkalgud who had the support of the District Superintendent of Police (as mentioned in the latter of reference of the District Magistrate) and finally to the observation of the learned Judge of the High Court? Honesty of this kind

deserves

deserves to be suitably appreciated and encouraged and in my opinion this is a fit case for favourable consideration by the Government.

8. I shall be grateful if you will kindly obtain the orders of the Government in the matter.

I have the honor to be,

Sir,

Your most obedient servant,

Government Advocate.

CSN.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. P 3024 Law 83-37 Dated, Bangalore, 10th December 1937.

11

From

The *General Secretary to the Government of His Highness the Maharaja of Mysore.*

To

The District Magistrate,
Hassan.

Subject:- Criminal Revision case No.11/37-38 on the file of the High Court of Mysore (in the matter of sale of a gold jewel (Addige) which was picked by one A.S. Seetharamiah on a public place).

Sir,

I am directed to request you to send for reference and return the entire records on the above subject.

The matter may kindly be treated as urgent.

I have the honor to be,
Sir,
Your most obedient servant,

BKR

for General Secretary to Government.

S.R.2

Appendix F G—1]

SUBJECT .....

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Section Law

File No. 83 - 37

Serial No.

Diary No. of letter replied to.....

No. P3024.

To

The Dist Magt

Hassan.

General and Revenue Secretariat

( )

the *193* .

Subject:- criminal Revision Case No. 11/37-38 on the file of the High Court of Mysore. (in the matter of a Sale of a gold jewel (Addige) which was picked by one A.S. Seetharamiah on a public place):

Date of issue..... 1-12-37

Signed by ..... Sri - BKR.

Sir,

I am directed to request you to send for reference and return the entire records in the above Subject.

List of enclosures.....

Copied by .....

The matter may kindly be treated as urgent.

I have etc.,

Examined by.....

BKR

For Genl Secy

WD 0521—GPB—30,000—12-3-37

No. JI-108/37-38

3143 8622 P 837

6

Office of the District Magistrate,
Hassan District,
Dated Hassan, the 14th December 37

From

Abdul Aziz Khan, Esq., B.A.,
District Magistrate, Hassan District.

To

M. Venkatesa Iyengar, Esq., M.A.,
General Secretary to the Government of Mysore, Bangalore.

GENERAL SECRETARIAT
15 DEC. 1937

Sir,

With reference to your letter No.P.3024 Law 83-37 dated the 10/11th December 1937 calling for the entire records in the matter of sale of a gold jewel (Addige) which was picked up by one A.S. Seetharamiah in a public place, I have the honour to state that the entire records were sent to the Chief Secretary to the Government of Mysore, Bangalore on the 8th December 1937 by registered post, with this office letter No.J.1.108-37.

Sabd

This question is being dealt with in the Police Sec: as seen from the linked file. If approved these papers will be passed on to that section for taking necessary further action, if any.

16/12

I have the honour to be,
Sir,
Your most obedient servant,

A A Khan

District Magistrate,
Hassan District.

pvg

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Bangalore, Dated, 26th January 1938.

No. P 4287 Law 83-37-2
Revenue

From

The *General Secretary to the Government of His Highness the Maharaja of Mysore.*

To

The Government Advocate,
Bangalore.

Sir, Subject:- Criminal Revision Case No.11/37-38 on the file of the High Court - Reward for the finder of the jewel.

With reference to your letter No.384, dated 22nd November 1937 on the above subject, I am directed to forward herewith for your information a copy of the Government Order passed in the matter.

I have the honor to be,
Sir,
Your most obedient servant,

For General Secretary to Govt.

c.n.2

8

Appendix F G—1]

SUBJECT .....

.....

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Section Law

File No. 83 – 37

Serial No. 2

No. P 4287 / Genl one

Diary No. of letter replied to.....

To

The Govt Advocate

General and Revenue Secretariat

( )

the *193* .

Subject :– Criminal Revision

case No. 11/37-38 on the file of

the High Court – Reward for

Date of issue 20-1-38

the finder of the jewel.

Sir,

Signed by M. BKR.

With reference to your

letter No. 384, dated 22nd Nov:

1937 on the above subject,

I am directed to forward

herewith for your information

a copy of the Govt order

Please make a copy of the G.O. flagged Y

passed in the matter.

List of enclosures..... Copy wanted

I have etc,

Copied by .....

BKR

for Government

Examined by.....

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE.

R E A D :-

Letter No.Jl.108/37-38 dated 3rd December 1937 from the District Magistrate, Hassan District, recommending in the circumstance stated, that a reward of Rs.25/- (twenty five) may be sanctioned to one Mr.A.S.Seetharamaiya out of the sale proceeds of an unclaimed gold jewel found by him.

O R D E R NO. P 4014-6 pol 118-37-2

Dated, Bangalore, the 7th January 1938.

The District Magistrate, Hassan District reports that Mr. Seetharamaiya found a Gold "Addike" lying near the premises of the Gubbi Reading Room, Arkalgud on 16th July 1935 and produced the said jewel promptly before the Police. As no one came forward to claim the jewel even after due enquiries and publication in the Gazette it was sold in public auction for a sum of Rs.75/-. The amount thus realised has been credited to Government and the District Magistrate recommends a reward of Rs.25/- out of the sale proceeds to Mr.Seetharamaiya as a token of appreciation of his honesty.

Government are pleased to sanction the recommendation of the District Magistrate and direct that a reward of Rs.25/- out of the sale proceeds be granted to Mr.Seetharamaiya.

for Chief Secretary to Government.

To

The District Magistrate, Hassan District, with records.
The Inspector General of Police in Mysore.
The Comptroller to Government.

mk.4